

REMARKS

In response to the Final Office Action of February 25, 2003, Applicant respectfully requests entry of the above amendment and reconsideration of the rejections of record.

Applicant confirms the prior election without traverse to prosecute the invention of species A, claims 14 through 16. By way of the present amendment, withdrawn claims 17 and 18 are canceled.

Claim 1 has now been amended to include subject matter set forth in prior claim 14. The amended subject matter is directed to the inter-engagement between at least one support member which engages an edge of the needle assembly adjacent the barrel interior.. Applicant respectfully submits that the particular configuration as set forth in the claims is not anticipated or rendered unpatentable by the Pressly '952 reference. For at least this reason, Applicant respectfully submits that claim and dependent claims thereon are now in condition for allowance.

To the extent claims 1-4, 6, and 7-11 are rejected under 35 USC §102(b) as being anticipated by Redfern '034, Applicant respectfully submits that the above amendment to claim 1 overcomes the rejection with respect to claim 1 and dependent claims thereon. With respect to the Redfern rejection of claims 9 through 11, Applicant respectfully submits that as amended, claim 9 clarifies that the moveable base contains a hub of the first needle and that the base and the hub move together during operation of the syringe.

In contrast, the Redfern '034 reference teaches a moveable base which does not contain a hub of the needle as set forth in Applicant's claim 9.

With respect to claim 13, Applicant respectfully submits that the rejection under 35 USC §103 over Redfern et al in view of Jensen does not establish a *prima facie* case of obviousness. As previously amended, the subject matter of claim 13 is directed to a needle assembly inserted into a matable base in which the base is moveable within the hollow barrel. While Redfern may teach a moveable base, Redfern does not teach a moveable base containing therein a needle assembly, the base and needle assembly being moveable within the hollow barrel. Accordingly, reconsideration of the rejection of claim 13 is respectfully requested.

Applicant notes the double patenting rejection set forth by the Examiner. In view of the amendments to the independent claims, Applicant respectfully defers action on the terminal disclaimer until allowable claims can be evaluated with respect to the double patenting rejection.

By way of the above amendment, Applicant has amended the specification to provide a proper antecedent basis for the subject matter in prior claim 14. Applicant respectfully submits that support for the changes to the specification may be seen in reference to Figures 1 through 6 along with reference to pages 7 and 8 of the specification.

Applicant notes the Examiner's request for an abstract. Applicant is hereby submitting an additional copy of an abstract that had been previously submitted. Entry of the Abstract is respectfully requested.

Inasmuch as all outstanding issues raised by the Examiner have been addressed, it is respectfully submitted that the present application is in condition for allowance, and action to such effect is earnestly solicited. The Examiner is encouraged to telephone the undersigned at his/her convenience should only minor issues remain after consideration of the present Amendment, to permit early resolution of same.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

Respectfully submitted,
DORITY & MANNING, PA



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